

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, MARCH 19, 1969

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, March 19, 1969 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON, KIRSTEN (8:35 p.m.)
SCHAFFER (8:35 p.m.) and HUNNELL (Mayor)

Also present: Assistant City Manager Peterson, City Attorney Mullen and Planning Director Schroeder.

PLEDGE Mayor Hunnell led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Brown, Culbertson second, the Minutes of March 5, 1969 were approved as written and mailed after changing the next to the last sentence of the first paragraph on Page 5 as follows: "...notifying him that the Council concurs with the proposed idea of the relocation of the bus loading zone but desires further information from the School District regarding plans for installation of sidewalk on Oak Street as well as information on the entire parking situation at the East Campus."

REPORTS OF PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of March 10, 1969:

REZONE 301 & 305 EDEN STREET

The Planning Commission recommended a change in zoning for parcels located at 301 and 305 Eden Street from the C-1, Neighborhood Commercial District to the R-MD, Medium Density Multiple-Family Residential District. On motion of Councilman Brown, Culbertson second, the matter was set for public hearing on April 2, 1969.

REZONE The Planning Commission recommended a change in zoning for a
301 E. PINE parcel located at 301 East Pine Street from the C-1, Neighborhood
Commercial District to the C-2, General Commercial District. On
motion of Councilman Culbertson, Brown second, the matter was set
for public hearing on April 2, 1969.

REZONE
109, 111, 115
AND 117 W.
LOCKEFORD ST.

The Planning Commission recommended a change in zoning for parcels located at 109, 111, 115 and 117 West Lockeford Street from the R-HD, High Density Multiple-Family Residential District and the C-1, Neighborhood Commercial District to the C-2, General Commercial District. On motion of Councilman Brown, Culbertson second, the matter was set for public hearing on April 2, 1969.

REZONE The Planning Commission also recommended a change in zoning for
301 NORTH a parcel located at 301 North Pleasant Avenue from the C-P,
PLEASANT Commercial Professional District to the R-MD Medium Density
Multiple-Family Residential District. On motion of Councilman
Culbertson, Brown second, the matter was set for public hearing
on April 2, 1969.

OF INTEREST The Planning Commission also took the following actions of interest to the City Council:

1. Denied the request of Lodi Auto Supply Company, 1321 West Lockeford, by Mr. Norman E. Watters for variances to permit the installation of a 48 square-foot sign where a maximum size of 17 square feet is permitted and which will overhang the public right of way 4 feet where a maximum overhang of 1 foot is permitted in an area zoned C-1.

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2. Approved the request of Mr. Gary Bender by Guaranteed Homes of Stockton for a variance to reduce the maximum length of a driveway from 20 feet to 15 feet at 308 East Walnut Street in an area zoned R-HD.

COMMUNICATIONS

ABC LICENSES

The following notices of application for alcoholic beverage license were read:

1. Person-to-person transfer (temporary license) for Kwan Po and Ngan Mi Mi Wong, Best Buy Market, 310 S. Central Avenue, off-sale beer and wine.

2. Original License for William A. Worthen, Club 15, 15 North Sacramento Street, on-sale beer.

LIBRARY BOARD REQUEST

A letter was read from President of the Library Board, Robert A. Bainbridge, requesting an opportunity for the Board to appear before the Council to present its request that a library construction fund be established beginning with the 1969/70 fiscal year. Councilman Culbertson moved the Library Board be invited to appear before the Council on April 16 to present its request. The motion was seconded by Councilman Brown and carried.

HIGHWAY 12 ASSN. MEETING

Mayor Hunnell read a notice of the Highway 12 Association meeting to be held in Rio Vista on March 26.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$203,102.98 were approved on motion of Councilman Culbertson, Brown second.

SPECS - ALUMINUM WIRE

Assistant City Manager Peterson presented specifications from the Utilities Department for the stranded aluminum conductor to be used in the 60-KV system. On motion of Councilman Brown, Culbertson second, the Council approved the specifications and authorized advertising for bids thereon.

PLANS & SPECS - SITE PREPARATION 60-KV SUBSTATION

Plans and specifications were also presented for the McLane Substation site preparation. On motion of Councilman Culbertson, Brown second, the plans and specifications were approved and advertising for bids thereon authorized.

YOUTH TO RECREATION COMMISSION

The Assistant City Manager explained that at a previous meeting the Council requested the staff to investigate the possibility of appointing a youth to the Recreation and Parks Commission. He reported that this had been referred to the Recreation and Parks Commission and they had recommended that the Board of Directors of the Teen Center recommend a nominee or nominees to the Council for appointment to the Commission for a one-year term. The Council concurred with the recommendation.

APPA SEMINAR

Mayor Hunnell stated that a seminar for government officials sponsored by the American Public Power Association would be held in Washington. He recommended that Councilman Kirsten attend the seminar on behalf of the City. On motion of Councilman Culbertson, Brown second, the Council authorized Councilman Kirsten to attend the seminar, and approved payment of his expenses in connection with it.

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BUS LOADING -
EAST CAMPUS

Mr. Peterson read a letter from Mr. James Areida, Business Manager of the Lodi Unified School District, which stated that the School District wished no action to be taken at this time on the proposal for a change of bus loading zone at the East Campus. The letter did indicate the District would reduce the yellow zone in front of the school.

(Councilman Schaffer and Kirsten arrived.)

PUBLIC HEARINGS

REZONE 800-826
N. MILLS AVE.

ORD. NO. 894
INTRODUCED

The public hearing on the proposal of the City Planning Commission to rezone parcels located at 800-826 North Mills Avenue from C-2, General-Commercial District, to the R-2, Single-Family Residential District having been continued from the meeting of March 5, 1969, Mayor Hunnell called for the continuation of the hearing.

Assistant City Manager Peterson read a supplemental report from the Planning Director stating that the Planning Commission had reaffirmed its recommendation that the property be rezoned to the R-2 District. There was no one in the audience who wished to be heard on the matter and the public portion of the hearing was closed.

After discussion, Councilman Brown moved introduction of Ordinance No. 894 rezoning five vacant parcels located at 800-826 North Mills Avenue (Lots 28-32, Lakeside Park Subdivision) to be in the R-MD, Medium Density Multiple-Family Residential District. The motion was seconded by Councilman Kirsten and carried by the following vote:

Ayes: Councilmen - Brown, Culbertson, Kirsten,
and Hunnell
Noes: Councilmen - Schaffer
Absent: Councilmen - None

REPORTS OF THE CITY MANAGER (Cont'd.)

SPORTSMAN'S
CLUB LEASE

The Assistant City Manager reported that for a number of years the City has leased two acres adjacent to the old City dump site along the Mokelumne River from the Lodi Sportsman's Club for \$300 per year. The Club has requested the annual rental rate be increased to \$450 per year. Mr. Ed Hague, Secretary of the Club spoke on behalf of the request. After discussion, Councilman Schaffer moved the lease agreement with the Sportsman's Club be renewed and the annual rental rate increased to \$425. The motion was seconded by Councilman Culbertson and carried with Councilman Brown voting no.

SIDEWALK
REPORT

Mr. Peterson explained that some time ago the Council had requested the staff to prepare a report on sidewalk deficiencies throughout the City. He presented a report prepared by the Public Works Director entitled, "Procedural Program for Installation of Sidewalks." The report outlined the procedure that would be followed to complete the sidewalk installation program. Mayor Hunnell requested the matter be continued to the meeting of April 16 so that the Council might have time to study the report. The Council agreed and the discussion of the report was continued to the meeting of April 16.

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**REMOVAL OF
TREES IN R/W**

The Assistant City Manager submitted a report prepared by the Public Works Director concerning tree removal in public rights of way. Public Works Director Jones reported that the City is embarking on a City-wide program requiring property owners to install sidewalk where curb and gutter already exist and there are approximately 200 trees that would interfere with this sidewalk construction. Mr. Jones explained that the present policy for tree removal in a public right of way is that the City will remove a tree only if it is dead, diseased or hazardous, and in many cases, property owners have not installed the sidewalk because of this policy. He recommended the City be responsible for removal of trees in public rights of way only when the property owner has partially met requirements for public improvements.

After discussion, the Council agreed to continue the discussion to the meeting of April 16 and instructed the City Manager and Public Works Director to study the matter further and make a recommendation at that meeting.

**AUTHORIZE
ISSUANCE OF
IMPROVEMENT
BONDS, SERIES B

RES. NO. 3249**

The Assistant City Manager presented Resolution No. 3249, "PROVIDING FOR THE ISSUANCE OF \$740,000 PRINCIPAL AMOUNT OF 'CITY OF LODI 1965 MUNICIPAL IMPROVEMENT BONDS, SERIES B,' BEING PART OF AN ISSUE OF \$7,200,000 PRINCIPAL AMOUNT AUTHORIZED AT AN ELECTION HELD IN SAID CITY ON JUNE 8, 1965; PRESCRIBING THE DATE AND FORM OF SERIES B BONDS OF SAID ISSUE AND OF THE COUPONS TO BE ATTACHED THERETO AND PRESCRIBING THE MATURITIES THEREOF AND REDEMPTION PROVISIONS THEREFOR; FIXING THE MAXIMUM RATE OF INTEREST ON SAID SERIES B BONDS; AND DIRECTING NOTICE OF SALE OF SAID SERIES B BONDS TO BE GIVEN." On motion of Councilman Culbertson, Schaffer second, the Council adopted said resolution by unanimous vote.

**OFFICIAL
STATEMENT
APPROVED**

Mr. Peterson then presented the final draft of the Official Statement for the sale of the bonds as prepared by the City's Financial Consultants, Stone & Youngberg, and requested Council approval of the same.

Mr. M. H. Davison of Stone and Youngberg was in the audience and answered questions of the Council concerning the sale of the bonds.

On motion of Councilman Kirsten, Brown second, the City Council approved the Official Statement as to form and general content.

**BASEBALL
CLUB
CONTRACT**

The Lodi Baseball Club had requested renewal of the Agreement for the use of the Lawrence Park Baseball Stadium for the 1969 season. Mr. Peterson explained that the terms and conditions of the Agreement were the same as last year and that the concession contract had been included in the Agreement. Mr. Dario DeBenedetti, General Manager of the Baseball Club, spoke, requesting the admittance fee for senior citizens be increased from .25¢ to .50¢ per person. Councilman Culbertson moved the Agreement be approved as submitted except that the admittance fee for senior citizens be increased from .25¢ to .50¢. The motion was seconded by Councilman Schaffer and carried by unanimous vote.

**TRAFFIC -
TURNER-HAM**

Mr. Peterson reviewed the report submitted by the Public Works Director concerning the Turner Road-Ham Lane school crossing. The report indicated that none of the recognized warrants for the installation of traffic signals at the intersection had been met. The report stated that additional signs were on order and would be

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installed in the area. Mr. Peterson recommended the Council accept the recommendation of the Public Works Director that the traffic signals should not be installed at this time.

Mr. Ed McMullen, Principal of Lakewood School, spoke, stating he agreed with the report. He suggested installation of a flashing yellow light might be helpful to slow traffic in that area.

After discussion of the matter, Councilman Schaffer moved the report be accepted and the staff continue to watch the intersection. The motion was seconded by Councilman Kirsten and carried by unanimous vote.

SAFETY -
SCHOOL
CHILDREN

Mayor Hunnell suggested that the subject of the safety of children using school crossings throughout the City should be studied and discussed at a later date. The Council agreed.

UNIFORM
ALLOWANCE -
AUXILIARY
POLICE

Mr. Peterson reported that the City Manager had met with Lt. Cross and representatives of the Auxiliary Police to discuss allowance granted to them for their service to the City. He reported it was the general consensus that they were not interested in being paid a salary but were interested in receiving compensation for expenses involved. He recommended that the annual uniform allowance be increased from \$25 to \$100 to provide for periodic uniform maintenance and replacement. The City would purchase the leather goods and hardware and this equipment would remain City property to be surrendered upon termination of service. On motion of Councilman Kirsten, Schaffer second, the Council approved the recommendation as outlined above.

PROPOSAL -
ACQUISITION
ROBBY'S
SWIM CLUB

Assistant City Manager Peterson informed the Council that Robby's Swim Club facilities had been offered for sale to the City. He recommended the Council refer the matter to the staff for study and recommendation. On motion of Councilman Kirsten, Brown second, the City Council moved the matter be referred to the Recreation and Parks Director for study and recommendation and authorized him to obtain whatever outside assistance he deemed necessary.

City Attorney Mullen questioned if the Council felt it advisable to obtain a professional appraiser. The Council agreed it did not believe it to be necessary at this time.

HALLINAN
PROPERTY

The Assistant City Manager stated that a request had been received for consideration of the sale of a portion of that property on North Stockton Street purchased from Mr. Hallinan. He showed a diagram illustrating the effect the proposal would have on the anticipated development of the property, and stated that it would significantly disrupt the planned recreation facilities. He also explained that the terms under which the City had acquired this property were very favorable because of Mr. Hallinan's desire that the land be devoted to public use. The City Council agreed that it did not desire to dispose of any of the property purchased from Mr. Hallinan. Councilman Kirsten moved the request not be approved and the interested party be so advised. The motion was seconded by Councilman Culbertson and carried by unanimous vote.

KETTLEMAN
LANE GRADE
SEPARATION

Assistant City Manager Peterson presented a resolution prepared for the purpose of making a recommendation regarding the grade separation at Kettleman Lane and the Southern Pacific Railroad tracks. At the request of Councilman Culbertson, the Council delayed adoption of the resolution until the next meeting.

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SPECIAL
COUNSEL
APPROVED

At the request of City Attorney Mullen, the Council, on motion of Councilman Culbertson, Schaffer second, approved the hiring of Mr. Martin McDonough as special counsel at \$30 per hour to assist with contract negotiations with the Pacific Gas and Electric Company.

ORDINANCES

REZONE
LOTS 1-9
CHEROKEE
GARDENS

ORD. NO. 891
ADOPTED

ORDINANCE NO. 891, entitled, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING LOTS 1 - 9, AS SHOWN ON THE REVISED TENTATIVE MAP OF THE CHEROKEE GARDENS SUBDIVISION TO BE IN THE R-MD, MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT," having been introduced at the meeting of March 5, 1969, was brought up for passage on motion of Councilman Kirsten, Culbertson second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Brown, Culbertson, Kirsten
and Hunnell

Noes: Councilmen - None

Abstain: Councilmen - Schaffer

REZONE 1381
W. LOCKEFORD

ORD. NO. 892
ADOPTED

ORDINANCE NO. 892, entitled, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING A PARCEL AT 1381 WEST LOCKEFORD STREET TO BE IN THE C-1, NEIGHBORHOOD-COMMERCIAL DISTRICT," having been introduced at the meeting of March 5, 1969, was brought up for passage on motion of Councilman Brown, Schaffer second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Brown, Culbertson, Kirsten
Schaffer and Hunnell

Noes: Councilmen - None

Absent: Councilmen - None

REZONE
LOTS 26 & 27
LAKESIDE PARK

ORD. NO. 893
ADOPTED

ORDINANCE NO. 893, entitled, "AMENDING THE OFFICIAL MAP OF THE CITY OF LODI AND THEREBY REZONING LOTS 26 and 27, LAKESIDE PARK SUBDIVISION TO BE IN THE C-1, NEIGHBORHOOD COMMERCIAL DISTRICT," having been introduced at the meeting of March 5, 1969, was brought up for passage on motion of Councilman Culbertson, Kirsten second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Brown, Culbertson, Kirsten
Schaffer and Hunnell

Noes: Councilmen - None

Absent: Councilmen - None

SPEED LIMIT
CHEROKEE
LANE

Councilman Brown stated he felt the speed limit in the area of Teck's Nursery on Cherokee Lane should be decreased from 50 mph to 35 mph. On motion of Councilman Culbertson, Schaffer second, the matter was referred to the staff for study and recommendation.

CHEROKEE
LANE

Councilman Brown also questioned the turning movements in the area of Tokay Motors on Cherokee Lane. Public Works Director Jones explained that turning movements are prohibited there because of the median.

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LEGISLATION

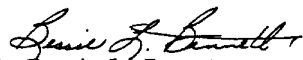
AB 374

Mayor Hunnell discussed the Legislative Bulletin from the League Office of March 14, 1969. He recommended the Council go on record as opposing Assembly Bill 374 which provides retirement for policemen and firemen at age 50. The Council concurred with his recommendation.

Mayor Hunnell requested Councilman Culbertson to review the Legislative Bulletins and report to the Council on the bills that he and the staff deem to be of particular concern or require action by the Council.

ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 10:40 p.m.


ATTEST: Bessie L. Bennett
City Clerk